

**Dec 06, 2019**

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

THOMAS O.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>2</sup>

Defendant.

No. 4:19-CV-05092-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 14, 21**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 21,  
of the above-captioned matter to the Commissioner for additional administrative

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned  
identifies them only by their first names and the initial of their last names.

<sup>2</sup> Andrew M. Saul is now the Commissioner of the Social Security Administration.  
Accordingly, the Court substitutes Andrew M. Saul as the Defendant and directs  
the Clerk to update the docket sheet. *See* Fed. R. Civ. P. 25(d).

1 proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Chad  
2 Hatfield represents Plaintiff. Attorney Heather Griffith represents Defendant. The  
3 parties have consented to proceed before a magistrate judge. ECF No. 6. After  
4 consideration, **IT IS HEREBY ORDERED** that:

5 1. The District Court Executive is directed to substitute Andrew M. Saul as  
6 the Defendant and update the docket sheet.

7 2. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**.

8 3. The above-captioned case be **REVERSED** and **REMANDED** to the  
9 Commissioner of Social Security for further administrative proceeding pursuant to  
10 sentence four of 42 U.S.C. § 405(g).

11 On remand, the parties stipulate that the ALJ will:

- 12 (1) reassess the medical evidence, including the opinions of Drs. Moore,  
13 Page, Thompson, and Palasi and describe the weight given to the  
14 opinions;  
15 (2) reassess Plaintiff's subjective complaints and residual functional  
16 capacity; and  
17 (3) continue the sequential evaluation process; and  
18 (4) issue a new decision.

16 ECF No. 21 at 1-2.

17 4. Judgment shall be entered for **PLAINTIFF**.

18 5. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**  
19 **AS MOOT**.

1           6. Upon proper presentation, this Court consider Plaintiff's application for  
2 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

3           The District Court Executive is directed to enter this Order, **enter**  
4 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

5           DATED December 6, 2019.

6                               s/Mary K. Dimke  
7                               MARY K. DIMKE  
8                               UNITED STATES MAGISTRATE JUDGE  
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